

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Toshihiro Suzuki et al.
Serial No.: 10/691,461
Conf. No.: 7326
Filed: October 22, 2003
For: LIGHT SOURCE DEVICE AND
DISPLAY HAVING THE SAME
Art Unit: 2629
Examiner: Boddie, William

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Reply Brief is in response to the Examiner's Answer dated November 5,

2010.

STATUS OF CLAIMS

Claims 20-23 are pending and stand rejected. Claims 1-19 and 24-25 have been canceled. The rejection of claims 20-23 is appealed herein.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

I. Whether claims 20-23 are unpatentable under 35 U.S.C. §103 over Nakabayashi et al. (US 6,379,017) in view of Kuratomi et al. (US 6,791,566).

ARGUMENT

I. Rebuttal To The Examiner's Arguments Relating To The Thickness Of The Light Guide Plate Being Smaller At Both Side End Faces And Becoming Greater In A Central Part Thereof.

The Examiner acknowledges that Fig. 23C of Nakabayashi does not disclose the claimed curved reflecting surface that becomes greater in the central part. He combines the embodiment shown in Fig. 14 of Nakabayashi with that of Fig. 23C to remedy this deficiency.

Figure 14 of Nakabayashi teaches providing a light guide member having a curved reflecting surface. Thus, if the teachings of Fig. 14 were applied to or combined with the device of Fig. 23C, it is possible that it could result in a device having a curved reflecting surface.

More significantly, however, Fig. 14 also teaches that the thickness of the light guide member becomes smaller as it extends away from the corresponding light source. Having this arrangement, if the ends of the two light guide members away from their respective light sources were joined, it would result in the thickness of the central part (between the opposite light sources) being smaller than the end parts near the light sources, as described in the Appeal Brief (See page 12).

While the Examiner readily accepts one part of the teaching of Fig. 19 (i.e., providing a light guide member having a curved reflecting surface), he completely ignores the other part of the teaching (i.e., the thickness of the light guide member becoming smaller as it extends away from the corresponding light source), which is also clearly taught in Fig.

14. Only by ignoring an important part of the teachings of the reference can Fig. 23 be modified to derive the Examiner's "proposed combination," which the Examiner contends discloses the claimed invention. Applicants respectfully submit that the Examiner is picking and choosing elements from the reference based on improper hindsight reasoning to derive the claimed invention.

II. Rebuttal To The Examiner's Arguments Relating To Whether It Would Have Been Obvious To One Of Ordinary Skill In The Art To Turn To Nakabayashi Et Al. To Derive The Present Invention.

In the Appeal Brief, Applicants argued that it would not have been obvious to one of ordinary skill in the art to turn to Nakabayashi in the first place to derive the present invention, because the reference teaches employing a reflection plate in a reflection type LCD, and the present invention is directed to a transmissive LCD that does not require a reflection plate. The Examiner contends that there is no "limitation disallowing the use of a reflecting plate" in the claim.

Whether one skilled in the art would have turned to the teachings of a particular art in deriving the claimed invention is not dependent on features that are not recited in the claims. Rather, it is dependent on what is taught in the reference compared to the particular features recited in the claims.

The claims recite a light guide plate having a curved reflecting surface which by itself totally reflects the incident light. Nakabayashi requires a reflection plate in addition to a light-guide member to reflect light. Therefore, it would not have been obvious to one of ordinary skill in the art to even consider Nakabayashi.

The Examiner further contends that the Applicants' "analogy is not commiserate with the Applicants' own described field of invention . . . which states the invention relates to 'a light source device utilizing an array of discrete light sources and a display having the same.'" The cited portion of the specification does not disclose that "a light source device utilizing an array of discrete light sources" can be interpreted to include a reflection type liquid crystal display of the type having a reflecting plate as disclosed in Nakabayashi. Even if the cited portion of the specification can be interpreted to include a reflection type liquid crystal display having a reflecting plate, it is not recited in the claims. It is improper for the Examiner to read the specification into the claims.

CONCLUSION

For all of the above reasons, as well as for the reasons given in Appellants Brief filed August 9, 2010, Applicants respectfully requests that the Board reverse the §103 rejection of claims 20-23.

Respectfully submitted,

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By



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